



**REGULAR MEETING OF THE COMMON COUNCIL  
MIDDLETOWN CONNECTICUT  
SEPTEMBER 2, 2014**

**Regular Meeting**

The Regular Meeting of the Common Council was held in the Council Chamber of the Municipal Building on Tuesday, September 2, 2014 at 7 p.m.

**Present** Mayor Daniel T. Drew, Corporation Counsel Daniel B. Ryan, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James B. Streeto, Councilman Sebastian N. Giuliano, Councilwoman Sandra Russo Driska, Councilwoman Deborah A. Kleckowski, Councilman David Bauer; Council Clerk Marie O. Norwood and Sergeant-at-arms.

**Also Present**

Members of the Press and 25 members of the public.

**1. Mayor calls meeting to order at 7 p.m.**

A. (Pledge of Allegiance)

The Chair calls the meeting to order at 7:01 p.m. and leads the public in the Pledge of Allegiance.

B. (Council Clerk Reads the Call of the Meeting and Mayor declares call a legal call and meeting a legal meeting.)

The Call of the meeting is read and accepted. The Chair declares this call a legal call and the meeting a legal meeting.

**2. Accept/Amend the Agenda.**

Councilman Thomas J. Serra moves to approve amending the Agenda to add Agenda items: 8G Run for the Fallen, 8H Emergency Purchase, Planning, Conservation, and Development, repair to the AC at the Remington Rand building, 8I Emergency Purchase, Planning, Conservation, and Development, Sprinkler System, Remington Rand Building and to substitute Agenda Item 13, Mayor's Appointments. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Motion to Recess**

Councilman Serra moves to recess back to Questions to Directors; his motion is seconded by Councilwoman Bartolotta. The vote is unanimous. The Chair recesses this meeting at 7:03 p.m.

**Meeting Reconvenes**

The Chair calls the meeting back to order at 7:03 p.m. and asks for a motion to approve the minutes.

**3. Presentations**

(None)

**4. Mayor requests motion to approve minutes of:**

The minutes having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council member, the reading of the same having been dispensed with, the Chair requests a motion to approve the minutes of the Regular Meeting of August 4, 2014 at 7 p.m.; Special Meetings of August 4, 2014 at 6 p.m. and 6:30 p.m.; August 14, 2014 at 6:30 p.m. and Immediately following the 6:30 meeting; and August 18, 2014 at 6 p.m. Councilman Thomas J. Serra moves for approval the minutes and Councilwoman Deborah A. Kleckowski seconds the motion. Councilman Streeto abstains from the vote for all the minutes except August 18, 2014. The chair calls for the vote. It is 10 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman

Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilman David Bauer; and 1 absent by Councilwoman Sandra Russo Driska. The Chair states the matter carried with 10 affirmative votes, 1 absent and the noted abstentions.

Councilman Streeto abstains from all the minutes except August 18; the vote is unanimous to approve except for the noted abstention.

## **5. Public Hearing on Bond Ordinance of \$750,000 for the Public Works CNR**

- A. AN ORDINANCE AMENDING AN ORDINANCE AND A RESOLUTION APPROVING THE PUBLIC WORKS DEPARTMENT CAPITAL NON-RECURRING PLAN FOR FISCAL YEAR 2013-2014 AND APPROPRIATING \$750,000 FOR THE PURCHASE OF CERTAIN CAPITAL NON-RECURRING EQUIPMENT AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The Chair opens the public hearing on the bond ordinance at 7:05 and asks Councilman Chisem to read the Bond for informational purposes. The Chair states this public hearing is solely regarding the CNR Bond. The Chair asks members to come r on agenda item 5A only.

## **6. Public Hearing on Bond Ordinance Closes**

The chair, seeing no members of the public wishing to address the bond, closes the public hearing at 7:07 p.m.

## **Noted for the Record**

Councilwoman Russo Driska takes her seat in the chamber at 7:07 p.m.

## **7. Public Hearing on Agenda Items Opens**

The Chair opens the public hearing on agenda items at 7:07 p.m. Vin Loffredo, member of the Board of Education speaking on his own behalf, speaks on two items and he has concern on the appropriation for the software and resolution 12A authorizing the Mayor to sign the agreement for shared services. Your earlier discussions you had comments about a workshop between the Board and the City; at this point there was not one. There was one with the need for another and the actual MOU, we have received copies of it but have not had a workshop and he was asked as a Board Member to set aside many dates for such a workshop and a workshop business will not be voted on. Not all members of the Council and Board will be there. He gives the dates Thursday Sept. 18 and Tues, the 23<sup>rd</sup>, Wednesday, 24<sup>th</sup>, and Thursday, the 25<sup>th</sup>. If it is possible, I urge you not to vote on this matter until the matter is . . . this is a shared services agreement. We should make sure all the information you want have it contained in the agreement and the outside intervention needs to be discussed. He asks that they not act on this matter until after the workshop. Lynda Szykiewicz, Board of Education member, reaffirms everything Vin Loffredo said and she concurs. Please do not vote on these items at this time. Linda Salafia worked as payroll supervisor and doesn't think it (Admins payroll) ever worked. The AUC system replaces the original ADMINS system and was written by Board of Education people and has a better chance to work with BOE but is not designed for payroll for police, fire, and overtime issues and she asks they think twice about using AUC for payroll. Bobbye Knoll Peterson speaks about the recommendations of charter revision moving the off year election to three polling places. Eliminating a voting place out of the north end would disenfranchise the voters in the north end; she suggests keeping Macdonough as a polling place. She has concerns about the off year elections and having the Mayor and Council with the same four year terms.

Karen Race is deeply concerned about the charter proposals specifically for the wage increase and increasing the term of service from two to four years. We are here to serve people and the request is out of touch with the people today. We face increases in every area and we get increases marginally. People who choose the service industry are not there because of money. If you are not adequately compensated, you should seek employment in the private sector. She is against the change of terms from two to four years. It is important voters are heard every two years. Molly Salafia read the charter changes and the Mayor shouldn't be making \$100,000; the median income is \$50,000 per household in Middletown and an 18% raise is ridiculous. You increase our taxes by a significant amount and asking for a raise is selfish and ridiculous. Raising the Council stipend \$1200 is ridiculous and most people's taxes went up that amount. Corporation Counsel Ryan states he feels compelled to speak; the raise was from the Charter Revision Commission and the Mayor has nothing to do with it and it was unanimously approved by them. Steve Devoto states he is not here to speak for or against the charter changes, but expresses his support for the explicit recommendation on how the questions be presented to the voters and it was to recommend that the Mayor should have a four year term and the Council have a four year term and they should be separate questions. There is near universal support for 4 year term for the Mayor and a split opinion on the Council. If we have four year terms for the Council, many neighborhoods would not see their elected officials very often. He urges the Council to split it as ballot questions and the third question, all other recommendations, is not transparent because it covers the Mayor's salary. That should be transparent and in there is the

treasurer position. It is an important decision and it should be obvious to the voters what they are voting on. Quentin Phipps first thanks everyone that was here at the last meeting; it was democracy in action. He addresses Charter Revision and will not speak about the treasurer but to the other recommendations. He would like to see the one protection, added rights to the voters. What you see are increases in power for you all. Longer terms and less accountability and it is not right. We can do better than that. We would decrease the polling places to two in the most affluent locations and one in the city and the poorer areas are eliminated. The bond issue, to have less accountability while we borrow more. It is wrong. He encourages the Council to go back or not pass any of the recommendations.


8. Public Hearing on Agenda Items Closes

The Chair, seeing no other members of the public wishing to speak, closes the public hearing at 7:25 p.m.

9. The Mayor requests Council Clerk to read appropriation and bond ordinance requests and the Certificate of the Director of Finance.

The Clerk reads:

Appropriation and Bond Request:



**CITY OF MIDDLETOWN**

MAYOR'S OFFICE  
MUNICIPAL BUILDING


NOTICE OF PUBLIC HEARING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on Tuesday, September 2, 2014 at 7 p.m., to consider and act upon the following:

Health Department	\$7,000,	Account No.	1000-31000-53705,	Events,	General Fund.
Mayor's Office	\$355,000,	Account No.	1000-27000-xxxxx,	AUC	Financial Software, General Fund.

Any and all persons interested may appear and be heard.


ATTEST:



MAYOR DANIEL T. DREW  
Mayor

Dated at Middletown, Connecticut, 25th day of August, 2014.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the (860) 638-4812 (TDD/TTY) or the Town Clerk's Office at (860) 638-4910 at least ten days prior to the scheduled meeting.



**CITY OF MIDDLETOWN**

MAYOR'S OFFICE  
MUNICIPAL BUILDING


NOTICE OF PUBLIC HEARING

Notice is hereby given that a meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on September 2, 2014, at 7:00 p.m. to consider and act upon the following:

AN ORDINANCE APPROPRIATING \$7,750,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF THE COMBINED SEWER OVERFLOW SEPARATION PROGRAM AND RELATED WATER MAIN, SEWER MAIN, AND ROAD SURFACE RELOCATION AND IMPROVEMENTS IN CONNECTION WITH SAID PROGRAM AND AUTHORIZING THE ISSUANCE OF \$7,750,000 BONDS AND OBLIGATIONS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The complete text of the proposed Ordinances are on file and open to public inspection in the office of the City Clerk.

ATTEST:



Daniel T. Drew  
Mayor

Dated at Middletown, Connecticut, this 27th day of August, 2014.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the (860) 638-4812 (TDD/TTY) or the Town Clerk's Office at (860) 638-4910 at least ten days prior to the scheduled meeting.

## MEMORANDUM

TO: His Honor Mayor Daniel T. Drew  
Members of the Common Council

FROM: Finance Department

DATE: September 2, 2014

RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on August 4, 2014 are available as follows:

General Fund	\$362,000
Bond Authorization	\$7,750,000

Respectfully submitted,  
  
Carl Erlacher,  
Director of Finance  
Add 9-2-14

**Meeting Recesses**

Councilman Serra moves for a recess; his motion is seconded by Councilwoman Kleckowski. The Chair calls for the vote and it is unanimous to approve with 12 aye votes. The Chair declares the recess at 7:25 p.m.

**Meeting Reconvenes**

The Chair reconvenes the meeting at 7:51 p.m.

7.

- A. An Ordinance Appropriating \$7,750,000 For The Planning, Design, Acquisition And Construction Of The Combined Sewer Overflow Separation Program And Related Water Main, Sewer Main, And Road Surface Relocation And Improvements In Connection With Said Program And Authorizing The Issuance Of \$7,750,000 Bonds And Obligations Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.**

**(Approved)**

Councilwoman Hope P. Kasper reads and moves for approval An Ordinance Appropriating \$7,750,000 For The Planning, Design, Acquisition And Construction Of The Combined Sewer Overflow Separation Program And Related Water Main, Sewer Main, And Road Surface Relocation And Improvements In Connection With Said Program And Authorizing The Issuance Of \$7,750,000 Bonds And Obligations Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Section 1. The sum of \$7,750,000 is appropriated for the planning, design, acquisition and construction of the combined sewer overflow separation program and related water main, sewer main, and road surface relocation and improvements in connection with said program, consisting of:

- (i) combined sewer overflow ("CSO") separation in the City of Middletown numbered 20, Old Mill Road, Barbara Road, Belvidere Terrace, Nathan Hale Road, Broadview Parkway, Navadon Parkway, Bailey Road, Westfield Street, Phedon Parkway, and Walnut Grove Road, related sewers, easements and rights of way as may be necessary; or such other or additional contracts and service areas identified in the Facility Plan as the Water and Sewer Department shall recommend and the Common Council shall determine by subsequent resolution, and as may be accomplished within the appropriation and bond authorization herein provided;
- (ii) water main design, engineering, relocation, replacement, improvements and repairs related to or performed in connection with the Facility Plan;
- (iii) sewer main design, engineering, relocation, replacement, improvements and repairs related to or performed in connection with the Facility Plan;
- (iv) road surface relocation and improvements to various City roads in connection with the Facility Plan, including road resurfacing, obtaining easements and rights-of-way, engineering, relocation, reconstruction, paving, drainage, grading, monumentation, curbing, sidewalk reconstructions and extensions, and general bituminous treatment; and
- (v) administrative, printing, legal and financing costs related thereto (collectively, the "Project").

Said appropriation shall be inclusive of state and federal grants in aide thereof.

**Motion to Waive the Rules**

Councilman Serra moves to waive the rules to waive the reading of the rest of the ordinance; Councilman Faulkner seconds the motion. The Chair calls for the vote and it is unanimous to waive the rules to waive the rest of the reading.

Councilman James B. Streeto seconds the motion. The chair calls for the vote by roll call.

Councilwoman Bartolotta	Aye
Councilman Bauer	Aye
Councilman Chisem	Aye
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilwoman Kleckowski	Aye
Councilwoman Russo Driska	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye
Councilman Streeto	Aye

It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

#### **Ordinance No. 10-14**

#### **File Name      Middletown Bond Ordinance – Combined Sewer Overflow Separation**

Section 1. The sum of \$7,750,000 is appropriated for the planning, design, acquisition and construction of the combined sewer overflow separation program and related water main, sewer main, and road surface relocation and improvements in connection with said program, consisting of:

(i) combined sewer overflow (“CSO”) separation in the City of Middletown numbered 20, Old Mill Road, Barbara Road, Belvidere Terrace, Nathan Hale Road, Broadview Parkway, Navadon Parkway, Bailey Road, Westfield Street, Phedon Parkway, and Walnut Grove Road, related sewers, easements and rights of way as may be necessary; or such other or additional contracts and service areas identified in the Facility Plan as the Water and Sewer Department shall recommend and the Common Council shall determine by subsequent resolution, and as may be accomplished within the appropriation and bond authorization herein provided;

(ii) water main design, engineering, relocation, replacement, improvements and repairs related to or performed in connection with the Facility Plan;

(iii) sewer main design, engineering, relocation, replacement, improvements and repairs related to or performed in connection with the Facility Plan;

(iv) road surface relocation and improvements to various City roads in connection with the Facility Plan, including road resurfacing, obtaining easements and rights-of-way, engineering, relocation, reconstruction, paving, drainage, grading, monumentation, curbing, sidewalk reconstructions and extensions, and general bituminous treatment; and

(v) administrative, printing, legal and financing costs related thereto (collectively, the “Project”).

Said appropriation shall be inclusive of state and federal grants in aid thereof.

Section 2. The expected useful life of the Project is thirty (30) years. The total estimated cost of the Project is \$7,750,000. A portion of the cost of the Project is expected to be paid from Clean Water Fund grants and loans from the State of Connecticut, and any remaining non-qualifying costs to be paid from City bond or note obligations.

Section 3. To meet said appropriation for the Project, the Common Council hereby authorizes and approves the sale, issuance, rollover and/or reissuance by the City from time to time of (i) project loan obligations, interim funding obligations or other obligations (collectively, the “CWF Obligations”) as described herein meeting the conditions prescribed in Sections 22a-475 to 22a-483, inclusive, of the Connecticut General Statutes (the “Clean Water Fund Statutes”), (ii) bonds of the City as described herein, or (iii) any combination of CWF Obligations or bonds described in (i) and (ii) above, provided, in all cases, that the total, aggregate principal amount thereof outstanding at any time shall not exceed \$7,750,000. The aggregate amount of CWF Obligations and bonds shall be issued in an amount necessary to meet the City’s share of Project costs determined after considering the estimated amounts of grants in aid of the Project.

(a) Any CWF Obligations shall be issued pursuant and subject to the Clean Water Fund Statutes. To meet any portion of the costs of the Project determined to be eligible for funding under said Clean Water Fund Statutes, the City may issue its project loan obligations to the State and may issue interim funding obligations in anticipation of such project loan obligations in such denominations as may be appropriate. Any such interim funding obligations may be renewed from time to time by the issuance of other notes, provided the final maturity of such notes do not exceed the maximum period permitted under Section 22a-479 of the Connecticut General Statutes. The CWF Obligations may be secured as to both principal and interest by a pledge of revenues to be derived from sewerage system use and/or connection charges or benefit assessments or both. The CWF Obligations may also be secured by the full faith and credit of the City. The Mayor of the City is authorized to sign such CWF Obligations by his manual or facsimile signature. The CWF Obligations shall bear the seal of the City or a facsimile of the seal.

(b) Any bonds issued shall mature not later than the twentieth (20<sup>th</sup>) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. The bonds shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Any bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation, the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof, including, but not limited to, any Clean Water Fund project funding agreements between the City and the State of Connecticut substantially in such form as may be required by the State.

Section 11. The Mayor, the City Treasurer, the Director of Finance and any other proper City official are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the “Regulations”), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall take effect when the same shall have been approved by a majority of those voting thereon at a referendum called and warned for such purpose. The date and other particulars of such referendum shall be determined by resolution of the Common Council. In the event that this ordinance shall not be approved at such referendum, it shall be null and void and of no effect.

DEBT STATEMENT			
June 30, 2014			
CITY OF MIDDLETOWN, CONNECTICUT			
ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")			
Fiscal Year Ended June 30, 2013			109,141,805
BORROWING CAPACITY FOR EACH CLASS			
2-1/4 times base for General Purposes			245,569,061
4-1/2 times base for Schools			491,138,123
3-3/4 times base for Sewers			409,281,769
3-1/4 times base for Urban Renewal			354,710,866
3 times base for Unfunded Past Benefit Obligations			327,425,415
MAXIMUM AGGREGATE BORROWING CAPACITY			763,992,635
7 times Base			
INDEBTEDNESS BONDS AND NOTES:			
GENERAL PURPOSES	41,963,790		
SCHOOLS	15,050,260		
SEWERS	3,433,285		
URBAN RENEWAL	-		
UNFUNDED PAST BENEFIT OBLIGATIONS	-		
BONDS AND NOTES AUTHORIZED BUT UNISSUED:			
GENERAL PURPOSES	49,362,910		
SCHOOLS	2,336,100		
SEWERS	47,557,330		
URBAN RENEWAL	-		
UNFUNDED PAST BENEFIT OBLIGATIONS	-		
CLEAN WATER FUND LOANS:			
SEWERS	4,080,089		
SUB-TOTAL INDEBTEDNESS	163,783,764		
LESS			
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES			
GENERAL PURPOSE	-		
SCHOOLS	-		
SEWERS	-		
URBAL RENEWAL	-		
TOTAL DEDUCTIONS	-		
NET INDEBTEDNESS			163,783,764
TOTAL DEDUCTIONS			
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:			
GENERAL PURPOSE	154,242,361		
SCHOOLS	473,751,763		
SEWERS	354,211,065		
URBAL RENEWAL	354,710,866		
UNFUNDED PAST BENEFIT OBLIGATIONS	327,425,415		
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE			600,208,871

**B. Health Department \$7,000, Account No. 1000-31000-53705, Events, General Fund.**  
**(Approved)**

Councilman James B. Streeto reads and moves for approval the Health Department's appropriation of \$7,000, Account No. 1000-31000-53705, Events, General Fund. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**C. Mayor's Office \$355,000, Account No. 1000-27000-55187-01000, AUC Financial Software, General Fund.**  
**(Failed)**

Councilwoman Mary A. Bartolotta reads and moves for approval Mayor's Office appropriation request for \$355,000, Account No. 1000-27000-55187-01000, AUC Financial Software, General Fund. Councilman James B. Streeto seconds the motion.

Councilwoman Bartolotta states the Democratic Caucus has spoken on this matter, and we will be turning this down this evening.


**Motion to Call the Question**

Councilman Streeto calls the question and is seconded by Councilwoman Kleckowski. The Chair recognizes Councilman Serra. The Chair asks if Councilman Streeto was serious. Councilman Serra states one moment; yes we are going to postpone this until we get some answers. We all questioned this during questions to directors. He seconds the motion to call the question. The Chair states it is a straight up or down vote on 9C and calls for the vote.

The chair calls for the vote. It is 0 aye votes; 12 nay votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James B. Streeto, Councilman Sebastian N. Giuliano, Councilwoman Sandra Russo Driska, Councilwoman Deborah A. Kleckowski, Councilman David Bauer and 0 absent. The Chair states the matter failed with 0 affirmative votes, 12 in opposition and 0 absent.

**10. Department, Committee, Commission Reports and Grant Confirmation Approvals:**  
**(Approved – all items)**

**A. City Clerk's Certificate**



City of Middletown

City & Town Clerk's Office


345 deKoven Drive

Middletown, CT 06457

August 27, 2014

I, Linda Bettencourt, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on August 4, 2014 at 7:00 p.m. and the special meetings on August 4, 2014 at 6:00 p.m. and 6:30 p.m., August 14, 2014 at 6:30 pm. and August 14, 2014 immediately following the 6:30 p.m. meeting, and a meeting on August 18, 2014 at 6:00 p.m., have been advertised in the local newspaper.

Attest:



Linda Bettencourt  
City & Town Clerk

Dated at Middletown, Connecticut, this 27<sup>th</sup> day of August, 2014.

◆Phone (860) 638-4910

◆Fax (860) 638-1910

◆TDD (860) 638-4812

**B. Monthly Reports:**  
**Finance Department - Transfer Report to August 14, 2014**





D.

Grant Confirmation and Approval - Board of Education, Old Year, Various

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 179

Date of Request: 8/20/2014

Name of Grant: As Listed Below

Code: 2450-33000-59400-X-03030

Amount Requested: (\$8,677.00)

REVENUE CODE: 2450-33000-43490-X-X

Grant Period: From: 7/1/2013 To: 6/30/2014

Amount Loaned from General Fund: \$0.00

Type of Grant:

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:  
[613 - Adult Ed-Provider Grant(State) (\$8,677); Total Special Programs through 7/23/2014 \$17,832,265.59 DEDUCTIONS (\$8,677); Total Special Programs through 8/20/2014 \$17,823,688.59

Signature: Patricia Charles

Requested by: Patricia Charles, ED.D

Status:

Status Date:

E.

Grant Confirmation and Approval - Mayor's Office/Superintendent of Schools

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 179

Date of Request: 8/20/2014

Name of Grant: As Listed Below

Code: 2450-33000-59400-X-03030

Amount Requested: (\$8,677.00)

REVENUE CODE: 2450-33000-43490-X-X

Grant Period: From: 7/1/2013 To: 6/30/2014

Amount Loaned from General Fund: \$0.00

Type of Grant:

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:  
[613 - Adult Ed-Provider Grant(State) (\$8,677); Total Special Programs through 7/23/2014 \$17,832,265.59 DEDUCTIONS (\$8,677); Total Special Programs through 8/20/2014 \$17,823,688.59

Signature: Patricia Charles

Requested by: Patricia Charles, ED.D

Status:

Status Date:

F.

Streetlight Purchase Update - no information at this time  
The Purchase was completed in August.

G.

Run for the Fallen CT Information

August 28, 2014



Mayor Dine and the Middletown Town Council:

I write to you today to ask for a donation to this year's Run for the Fallen Connecticut (RFFTC). The RFFTC is a nationwide event that was created to honor those brave men and women who have given their lives in service to our country during the Iraq and Afghan wars. Moreover, the event also honors all those who have fallen throughout history in service to the United States.

2014 will be the fifth RFFTC event in Connecticut. It will be held at Soule Elementary School on 299 Wadsworth Street in Middletown, CT on September 6<sup>th</sup>. This year's run will be 6.5 kilometers, with one kilometer run for each of Connecticut's 169 towns. In addition to the run, there will be a ceremony with guest speakers as well as food, drink and family friendly activities.

Donation donations received are put toward paying the event. A number of our runners usually run their laps to raise money in support of military charities such as the Wounded Warrior Project, the Gold Star Family Registry, and the Patriot Guard.

In general, we ask for monetary donations or donations in kind. Today, we are requesting a donation in kind – our police escort. Last year's escort was also donated. Please be assured that while we understand today's economic climate, we hope you see the importance your donation will make, no matter how big or small, as it will allow the memory of those fallen heroes to continue to serve their country through the great charities mentioned above.

As the run is less than two weeks away, time is of the essence. If you have any questions or concerns, please contact me via phone at 860.236.1285 or email at [corrin@runforthefallen.com](mailto:corrin@runforthefallen.com).


Thank you for your consideration of this great cause.

Sincerely,

Corrin Paquette  
Director  
Run for the Fallen CT


## H. Emergency Purchase, Planning, Conservation and Development, HVAC Remington Rand

MEMORANDUM  
DEPARTMENT OF PLANNING, CONSERVATION AND DEVELOPMENT

TO: Mayor Dan Drew, Carl Erlacher, Finance Department 

FROM: Michel Wackers, Director of Planning, Conservation and Development Dept.

DATE: August 26, 2014


RE: AGS HVAC Services, LLC 

Please issue an emergency purchase order for AGS HVAC Services, LLC without a purchase order. This was an emergency repair of the air condition at the Remington Rand building. We did not get three (3) quotes as they did not know what was wrong with the unit until they did the repair.

Cc: Donna Imme ✓  
Marie Norwood ✓


## I. Emergency Purchase - Planning, Conservation, and Development, Sprinkler Remington Rand

MEMORANDUM  
DEPARTMENT OF PLANNING, CONSERVATION AND DEVELOPMENT

TO: Mayor Dan Drew, Carl Erlacher, Finance Department 

FROM: Michel Wackers, AICP, Director of Planning, Conservation and Development

DATE: August 26, 2014

RE: American Piping of Conn., Inc. 

On July 18, 2014 the Fire Marshall inspected the Remington Rand building and found that the sprinkler system did not work. This is to notify you of an emergency purchase for a sprinkler system. The building would need to be shut down if this was not done right away.

Please issue a purchase order for \$39,000 for American Piping of CT, Inc. without a contract.

Cc: Donna Imme ✓  
Marie Norwood ✓

Councilman Thomas J. Serra reads and moves for approval Department, Committee, Commission Reports and Grant Confirmation Approvals, Agenda items A, B, C, D, E, F, G, H, and I. Councilman Gerald E. Daley seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James B. Streeto, Councilman Sebastian N. Giuliano, Councilwoman Sandra Russo Driska, Councilwoman Deborah A. Kleckowski; 1 nay vote by Councilman David Bauer. The Chair states the matter carried with 11 affirmative votes, 1 in opposition and 0 absent.

## 11. Payment of all City bills when properly approved.

Councilman Thomas J. Serra moves for approval Payment of all City bills when properly approved. Councilman Carl R. Chisem seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James B. Streeto, Councilman Sebastian N. Giuliano, Councilwoman Sandra Russo Driska, Councilwoman

Deborah A. Kleckowski; 1 nay votes by Councilman David Bauer and 0 absent by no one. The Chair states the matter carried with 11 affirmative votes, 1 in opposition and 0 absent.

#### **Point of information**

Councilman Serra states as a point of information, agenda item 12A we will be moving to postpone this to the October 6th Council meeting.

#### **12. Resolutions, Ordinances, etc.:**

##### **A. Approving authorizing the Mayor to sign the Agreement for Shared Services between the Board of Education and the City of Middletown concerning shared services for financial operations and management.**

**(Postponed to October 6, 2014)**

Councilman Thomas J. Serra reads and moves for approval authorizing the Mayor to sign the Agreement for Shared Services between the Board of Education and the City of Middletown concerning shared services for financial operations and management until the October meeting of the Common Council. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is unanimous to postpone with 12 aye votes. The chair states the matter is postponed to October 6 by a unanimous vote of 12 affirmative votes.

#### **Resolution No. 104-14**

**File Name      mosharedservicescityboefinancialmanagement**

WHEREAS, the City of Middletown and Board of Education are interested in shared financial services including implementing an integrated financial management software system for both parties to use the AUC platform; and

WHEREAS, this will increase transparency in governance and economies of scale; and

WHEREAS, the agreement includes the city paying for the consulting services and the financial management software using the AUC platform at an expected cost of \$355,000 upon the Board's compliance with the agreement; and

WHEREAS, the City will administer the Board's financial and business operations consistent with the Board's decision-making authority consistent with CT General Statutes Section 10-220 and both parties will have unrestricted access to the other's financial informational to the maximum extent permitted by state and federal law.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew is authorized to sign the Agreement for Shared Services between the City of Middletown and the Board of Education for shared services for financial operations and management.

Fiscal Impact:      The cost of management consultant and the AUC Platform is \$355,000; with the review of staffing requirements, savings could be seen to offset the estimated cost of the AUC platform.

##### **B. Approving adopting the final report of the Charter Revision Commission. (Amended and Approved)**

Councilman Daley reads the amended resolution into the record, rejecting and adopting certain portions of the Final Report of the Charter Revision Commission. Councilman Thomas J. Serra seconds the motion. It means the treasurer would remain as an officer of the city; the Mayor's office, this language will be deleted regarding the annual salary, pension, and CPI. They removed the \$100,000; Mayor's salary will not be fixed by Charter. He states they are removing the odd-year election at three locations to a city-wide election.

Councilman Giuliano has a question for Corporation Counsel. This process is two parts, to accept in whole or in part and the second is to establish questions on the ballot. What is the appropriate time. Once you accept it, now the ballot questions must reflect what has been accepted. If we vote to accept the report, after that once you get to the ballot issue, does the form reflect what the changes are.

#### **Motion to Waive the Rules**

Councilman Serra moves to waive the rules to call up General Counsel in consultation with Corporation Counsel. Councilwoman Kleckowski seconds the motion. The vote is unanimous.

General Counsel Smith states that is correct. He reads from the act regarding charter amendments. Once you vote on this you are locked in for the recommendations to send to the electorate and it is go or no go. You are looking at three questions going to the electorate. Councilman Serra states the third question that covers the rest of the Charter and what Councilman Daley just did does the third question cover that. Attorney Smith responds it still does; you publish the proposed changes. Councilwoman Russo Driska will we vote on the questions now; the chair replies no, that is the next agenda item. Councilman Giuliano states whatever we adopt when we get to the next item, it is adopting the form of the questions that addresses everything we adopted moving forward. Attorney Smith replies it is everything in the third question. Councilman Giuliano states before we adopt these, I would have to say the Charter Revision there is a lot for public officials and very little for the public. Every minority issue was rejected by the committee and does not find its way into the report. Bonding restriction was rejected; separate budgeting for the school was rejected. too many items were reactions to ordinance changes or executive prerogative. Referencing the City Attorney to General Counsel

can be uncreated and modified the same way and to carve it into the charter is not wise. There will always be city attorney. There was discussion of outsourcing all legal and you are referring to the department and not the person. To put something like that in the charter unfairly encumbers current and future councils. Referencing mayor's administrative aide as chief of staff is wrong. You will notice that the administrative assistant has no job description and likewise there is no position that reports to that position and naming it implies duties that are not there. Finally there is just too much in this report to go on the ballot. It will be a long ballot in terms of ballot questions. Having three more charter revision provisions covering a lot, you might lose everything. I would set the four year term for the mayor and send it to the voters, but most of the other things are not fleshed out. It was not a waste of time because charter revision builds on past charter revision commissions. I think the issue of the four year term of the mayor has been discussed for many years. Everything else is something we should hold in abeyance.

Councilman Streeto states he remembers the discussion of 4 year terms for Mayor and Council in other charter revision reports. He doesn't understand the objection to the mayor's administrative aide to chief of staff; it is bringing them into compliance of everyday practice. We are not deciding it, but allowing the voters to make the decision to see if it is better for the community. What could possibly be more democratic than to allow the voters to choose if the four year terms are appropriate or to raise the bonding if they don't see it as positive, they will vote it down. He urges approval.

Councilwoman Russo Driska states she made it clear on her view of Mayor and Council for four years, but they should not be grouped together. I don't agree with the wording of the questions. I don't agree with the Town Clerk remaining in consultation with the General Counsel. She asked that the language be tightened. I am not happy with that. As far as the three polling places we are now going to have 14. As Councilman Daley said, it will only be the off year biennial elections it will only have 15% voters. If you are going to do that, keep three polling places and keep MacDonough, but to have 14 locations for minor offices it will be the cost of a full election. She will be voting no because of those issues.

#### **Motion to Amend the Amended Resolution**

Councilman Daley states the amendment when we rejected the paragraph that added the Mayor's Salary to Chapter IV, Section 1, and they struck the last paragraph where the Council is to fix the mayor's salary, we should amend further to read reject striking the sentence that the Mayor shall receive such compensation otherwise there is no mechanism to change the Mayor's salary. This would restore the Council's authority to set the salary. Councilman Serra seconds this amendment. The Chair calls for the vote on the amendment and it is ten affirmative vote by Council members Serra, Bartolotta, Kasper, Santangelo, Faulkner, Chisem, Daley, Streeto, Giuliano, and Kleckowski and two nay votes by Council Members Russo Driska and Bauer. The Chair states the matter passes with ten affirmative votes and two in opposition.

Councilman Bauer states he is against this. We can't have recall. We are talking about people and personalities and four years is a long time for someone to be stuck in office if not capable of doing the job. I can't live with four year terms. Councilman Serra states the reason they have three questions is that a lot of the caucus does not agree with the four year terms or \$1 million bond authorization and that is why they have the separate questions. They agreed to let the people decide. For the third question we need to do a good job making sure what Councilman Daley read is understood. Those things should be clear. Relative to the other four year terms he will address in 12C.

The chair, hearing no further discussion, calls for the vote. It is 8 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James B. Streeto; 4 nay votes by Councilman Sebastian N. Giuliano, Councilwoman Sandra Russo Driska, Councilwoman Deborah A. Kleckowski, Councilman David Bauer and 0 absent by no one. The Chair states the matter carried with 8 affirmative votes, 4 in opposition and 0 absent.

#### **Resolution No. 105-14**

**File Name** cccharterfinalreport2

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the final report of the Charter Revision Commission is hereby approved in part and rejected in part and adopted as thereby amended.

The following separate provisions of the final report are rejected and the remainder is approved:

- In Chapter II, Section 2 (Municipal Officers), deletion of the term "Treasurer."
- In Chapter IV, Section 1 (Mayor's Office), and addition of the following: "Commencing with the salary payment following passage of this charter provision, the Mayor shall receive an annual salary of One Hundred Thousand dollars (\$100,000). In lieu of pension deductions, the Mayor will receive a tax shelter annuity of \$15,000 for each year of service as Mayor. Commencing on July 1, 2015, and on such date annually thereafter, the salary of the Mayor shall be increased by the percentage amount of the Consumer Price Index for All Urban Consumers (CPI-U) for U. S. City Average, All Items but not higher than three percent (3%) for the unadjusted 12-month period ending November of the prior year, as published by the United States Department of Labor Bureau of Labor Statistics, and if there shall be no such adjustment in

any year, the Mayor's salary will receive no adjustment for that year"; and the deletion of the sentence "The Mayor shall receive such compensation as shall be fixed by the Common Council."

- In Chapter IV, Section 4 (City Treasurer), all proposed additions and deletions to the existing Charter language.
- In Chapter III, Section 4 (Authority of the Common Council) addition of "except the Mayor."
- In Chapter III, Section 7 B (Referenda and Initiative) deletion of "the City/Town Clerk in consultation with the."
- In Chapter II, Section 4, addition of the sentence reading "The polling locations for off-year Biennial Elections shall be the same as those used for referenda elections."

Fiscal Impact: There is no fiscal impact until or unless approved by the voters at a referendum.

**C. Approving providing for referendum for the final report of the Charter Revision Commission to the voters in conjunction with the general election on November 4, 2014 and approving the referendum questions and ballot labels.**  
**(Approved)**

Councilman Thomas J. Serra reads and moves for approval providing for referendum of the adopted provisions of the report of the Charter Revision Commission to the voters in conjunction with the general election on November 4, 2014 and approving the referendum questions and ballot labels. Councilman James B. Streeto seconds the motion.

Councilman Serra reads the questions. He states they are the informational questions. He states the first question he hopes it is very clear; he will not support the first question. He believes the length of time is too long and evaluation of four years is too long. Four years is too long and the election is the people's evaluation. It puts a burden on the off year elections. You will have a low turnout. Two years is long enough for individuals to evaluate your performance. He urges individuals to vote no. The \$1 million for me is a catch 22. To improve infrastructure and education and our bond rating has been superior in our investing, I mean to support it but it is a large number. Question 3, the \$100,000 (Mayor's salary) is out and all voting places are in so please read what will be printed on this. Let the people decide.

The chair calls for the vote. It is 9 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James B. Streeto, Councilwoman Sandra Russo Driska; 3 nay votes by Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilman David Bauer and 0 absent. The Chair states the matter carried with 9 affirmative votes, 3 in opposition and 0 absent.

**Resolution No. 106-14**

**File Name ccrefcharterrevisionfromgco2**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Final Report of the Charter Revision Commission as adopted by this meeting of the Common Council be submitted to a referendum vote of the electors of the City of Middletown for approval or disapproval in conjunction with the general election on November 4, 2014, between the hours of 6:00 A.M. and 8:00 P.M. and that the warning of said referendum state the questions to be voted upon and the ballot labels with respect thereto as follows:

Questions:

"Shall the Charter be amended to provide for a term of four years for the following elected officials of the City of Middletown: the Mayor, Common Council, Treasurer, Board of Assessment Appeals and Registrars of Voters? YES NO"

"Shall the Charter be amended to raise the bond limit for which the Common Council can approve spending without going to referendum to \$1,000,000? YES NO"

"Shall all other amendments to the Charter as approved by the Common Council from the Final Report of the Charter Revision Commission at its September 2, 2014 meeting be approved? YES NO"

The ballot label for said questions shall read as follows:

"Shall certain elected officials' terms be four years? YES NO"

"Shall the bond limit that the Common Council may approve without going to referendum be raised to \$1,000,000? YES NO"

"Shall all other Charter Revisions as approved by the Common Council be approved? YES NO"

The voting will be by paper/electronic ballot. Those desiring to vote for these questions shall fill in the "Yes" box in front of the question on the ballot. Those desiring to vote against the question shall fill in the "No" box in front of the question on the ballot. Absentee ballots will be made available in accordance with the law.

The warning of said referendum shall also state the full text of the aforesaid report and that the questions are on file and are open to public inspection in the office of the City and Town Clerk, that the vote on said

report and questions are taken pursuant to Connecticut General Statutes Section 7-191 (e) and (f), as amended, and that absentee ballots will be made available in accordance with the law.

The City and Town Clerk are hereby authorized and directed to prepare and print, pursuant to Section 9-369b of the Connecticut General Statutes (i) explanatory text for the foregoing questions and (ii) materials concerning such questions in addition to the explanatory text.

**D. Approving providing for referendum the ordinance appropriating \$7,750,000 for the Combined Sewer Overflow Separation Program in conjunction with the general election on November 4, 2014 and approving the referendum question and ballot label.**

**(Approved)**

Councilwoman Hope P. Kasper reads and moves for approval providing for referendum the ordinance appropriating \$7,750,000 for the Combined Sewer Overflow Separation Program in conjunction with the general election on November 4, 2014 and approving the referendum question and ballot label. Councilman James B. Streeto seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Resolution No. 107-14**

**File Name wsreferendumCSOprogram(3)**

**BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That the ordinance entitled "AN ORDINANCE APPROPRIATING \$7,750,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF THE COMBINED SEWER OVERFLOW SEPARATION PROGRAM AND RELATED WATER MAIN, SEWER MAIN, AND ROAD SURFACE RELOCATION AND IMPROVEMENTS IN CONNECTION WITH SAID PROGRAM AND AUTHORIZING THE ISSUANCE OF \$7,750,000 BONDS AND OBLIGATIONS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE", as adopted by this meeting of the Common Council, be submitted to a referendum vote of the electors of the City for approval or disapproval in conjunction with the general election on November 4, 2014, between the hours of 6:00 A.M. and 8:00 P.M. and that the warning of said referendum state the question to be voted upon and the ballot label with respect thereto as follows:

"Shall the ordinance entitled 'AN ORDINANCE APPROPRIATING \$7,750,000 FOR THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF THE COMBINED SEWER OVERFLOW SEPARATION PROGRAM AND RELATED WATER MAIN, SEWER MAIN, AND ROAD SURFACE RELOCATION AND IMPROVEMENTS IN CONNECTION WITH SAID PROGRAM AND AUTHORIZING THE ISSUANCE OF \$7,750,000 BONDS AND OBLIGATIONS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE', as adopted by the Common Council on September 2, 2014, be approved? YES/NO"

The ballot label for said question shall read as follows:

"Shall the \$7,750,000 appropriation and debt authorization for the planning, design, acquisition and construction of the combined sewer overflow separation program and related water main, sewer main, and road surface relocation and improvements in connection with such program, pursuant to the ordinance adopted by the Common Council on September 2, 2014, be approved? YES/NO"

The voting will be by paper/electronic ballot. Those desiring to vote for the question shall fill in the box in front of the question on the ballot at "**YES**". Those desiring to vote against the question shall fill in the box in front of the question on the ballot at "**NO**". Absentee ballots will be made available in accordance with the law.

The warning of said referendum shall also state that the full text of the aforesaid ordinance and question are on file open to public inspection in the office of the City and Town Clerk, that the vote on the aforesaid bond ordinance is taken pursuant to Chapter IX, Section 2 of the City Charter and Chapters 90 and 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be made available in accordance with the law.

The City and Town Clerk is hereby authorized and directed to prepare and print pursuant to section 9-369b of the Connecticut General Statutes (i) explanatory text for the foregoing question and (ii) materials concerning such question in addition to the explanatory text.

**E. Authorizing the Mayor to sign the agreement with the State of Connecticut Department of Emergency Management and Homeland Security.**

**(Approved)**

Councilman Robert P. Santangelo reads and moves for approval Authorizing the Mayor to sign the agreement with the State of Connecticut Department of Emergency Management and Homeland Security. Councilwoman Mary A. Bartolotta seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Resolution No. 108-14**

**File Name        emmouforhomelandsecurityfunds2014**

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew, who has held the office of Mayor since November 15, 2011, may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

BE IT FURTHER RESOLVED: That Mayor Daniel T. Drew is authorized and directed to execute and deliver any and all documents on behalf of the City of Middletown and to do and perform all acts which he deems to be necessary or appropriate to carry out the terms of such documents.

Fiscal Impact: There is no fiscal impact.

**F.        Approving waiving of Middletown Ordinance Chapter 232, Article II regarding the sale of City property located on Home Avenue as Lot 26-0085 and approving 4,380 square feet of Lot 260085 be merged with 1 Beach Street with the sale contingent on the removal of a number of trees leaning over Home Avenue.**

**(Approved)**

Councilman Gerald E. Daley reads and moves for approval waiving of Middletown Ordinance Chapter 232, Article II regarding the sale of City property located on Home Avenue as Lot 26-0085 and approving 4,380 square feet of Lot 260085 be merged with 1 Beach Street with the sale contingent on the removal of a number of trees leaning over Home Avenue. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Resolution No. 109-14**

**File Name        PCD\_1\_Beach\_Street saleofcity property**

**WHEREAS**, Phillip and Rieko Wagoner purchased 1 Beach Street on January 8, 2013 as a retirement home for themselves; and

**WHEREAS**, the Wagoner's had their property surveyed in order to make improvements on the property; and

**WHEREAS**, there had never before been a survey done fixing the common boundary between the two properties; and

**WHEREAS**, the survey revealed that the house was not entirely located their property, but extended one City property known as Lot 26-0085 on Home Avenue; and

**WHEREAS**, the Economic Development Committee by motion on August 6, 2014 recommended that a 4,380 square foot portion of Lot 26-0085 on Home Avenue be merged with 1 Beach Street; and

**WHEREAS**, the Economic Development Committee by motion on August 6, 2014 recommended that a waiver be granted from the requirements of City Ordinance 232 Article II governing the sale of City Property; and

**WHEREAS**, The Economic Development Committee recommends that the sale be contingent on the removal of a number of trees leaning over a Home Avenue by the Wagoners.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Mayor is hereby authorized to transfer the property to the Wagoners after the removal of the trees.

**Fiscal Impact Statement:** This lot line adjustment between two existing properties will result in 4,380 additional square feet becoming taxable. The addition of this land will also create a conforming property to the zoning requirements, making the property more valuable. The Tax Assessor estimates that value of the property at \$6,000.

	Costs	In-Kind Benefit	Increased Taxes
Year 1	\$6,000	\$	\$392
Year 2			\$392
Year 3			\$392
Year 4			\$392
Year 5			\$392
Year 6			\$392
Year 7			\$392
Year 8			\$392
Year 9			\$392
Year 10			\$392
Total	\$6,000	\$	\$3920

**G.        Authorizing Mayor Daniel T. Drew to execute and deliver a power purchase agreement; waiving Middletown Ordinance Chapter 232, Sections 232-4 through 232-13 regarding the sale of public property as provided for in Section 232-13 to authorize the Mayor to enter into long term access agreements with Greenskies, Inc. or its subsidiaries' for the purpose of installing and maintaining solar systems on city property; and waiving the competitive**



**bidding requirement in accordance with Section 78-7 to purchase electricity produced by solar panels situated on city property.  
(Postponed to October 6, 2014)**

**Point of Information**

Councilman Serra states this, they have decided to postpone this to the October meeting because of the questions on the agreement.

Councilman Thomas J. Serra reads and moves to postpone action on this particular item to our October 6 meeting. Councilman Carl R. Chisem seconds the motion. The chair calls for the vote. It is unanimous to postpone with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

The Chair states this item is postponed to the October meeting.

**Resolution No. 110-14**

**File Name PCD\_2014\_Greenskies\_LandfillBerlinSt**

**Whereas**, the city has been approached by Greenskies, Inc. regarding the installation of one or more "solar system(s)" on city property; and

**Whereas**, Greenskies Inc. has offered the city a power purchase agreement which would have a subsidiary company of Greenskies Inc. purchase, secure all necessary approvals (including local Inland Wetlands and Watercourses Agency and Planning and Zoning Commission approvals) install, maintain and insure solar system (s) on city property at their sole and exclusive cost; and

**Whereas**, the Economic Development Committee at their July 2, 2014 regular meeting recommended that the Council a power purchase agreement for 185 Johnson Street to purchase 100% of the power produced by the solar system(s) from the subsidiary company created by Greenskies Inc. for twenty (20) years initially at a cost of \$0.09 per kilowatt hour (kWh), with an escalator of 1% per year; and

**Whereas**, it is estimated that one solar system will produce 1,500,000 kWh per year and such a solar system will reduce the need to burn 88,235 gallons of oil and eliminate 667 tons of CO2 emitted into the atmosphere; and

**Whereas**, it has been determined that the financial savings and the environmental benefits of such solar system(s) are significant and it is the best interest of the city to move in a more stable and sustainable direction with regard to its energy consumption.

**Now therefore be it resolved by the Common Council of the City of Middletown that:** Mayor Daniel T. Drew, is hereby authorized to execute and deliver a power purchase agreement in the form of the agreement presented to this meeting;

**Be it Further Resolved that** the Economic Development Committee has recommended and the City of Middletown Common Council is therefore waiving the Sale of Public Property Ordinance Number 25-07 in the Middletown Code of Ordinances §232-4- §232-14 as provided for in article §232-13 to authorize the Mayor to enter into long term access agreements with Greenskies Inc. or its subsidiaries' for the purpose of installing and maintaining solar systems on city property; and

**Be It Further Resolved that** the Common council waives the competitive bidding portion of the Middletown Code of Ordinances with regard to the purchase of electricity produced by solar panels situated on City Property; and

**FISCAL IMPACT:** The above will commit the City to purchase the power produced by these facilities at \$0.09 per kWh. Over the life of the contract, the average annual cost is estimated at \$165,000. Staff estimates the saving compared to purchasing power directly from a utility at \$50,798 per year, and \$1.01 million in savings over the 20 years.

Staff reviewed the history of electrical generation prices for Connecticut, using U.S. Energy Information Administration data. The data from 1990 to 2012 shows an average increase in electrical rates for residential users at 2.8%, for commercial users at 2.4% and industrial users at 2.7%.

If electrical generation costs are higher than \$0.09 per kWh then the City has saved tax payers money. If at any time the cost of electrical general dips below \$0.09 per kWh, then the City has paid more than the utility's market price for electricity.

**Meeting went into Recess**

The Chair states he has been informed that the technicians need to change the disk at this time.

Without objection the Chair calls for a recess at 8:30 p.m.

**Meeting Reconvened**

The Chair calls the meeting to order at 8:36 p.m.

- H. Approving creating a new line item in the Economic Development Fund entitled Economic Development Outreach Initiatives in the amount of \$5,000 and approving a transfer in the Economic Development Fund from line item 4330-**

**14000-48186-0000-00000-0000-901, Harbor Restaurant in the amount of \$5,000 into the new line item.**

**(Approved)**

Councilwoman Mary A. Bartolotta reads and moves for approval creating a new line item in the Economic Development Fund entitled Economic Development Outreach Initiatives in the amount of \$5,000 and approving a transfer in the Economic Development Fund from line item 4330-14000-48186-0000-00000-0000-901, Harbor Restaurant in the amount of \$5,000 into the new line item. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Resolution No. 111-14**

**File Name        pcdEconomicDevelopmentOutreach8\_6\_14**

**WHEREAS,** City of Middletown’s economic future and quality of life initiatives are dependent on attracting and retaining businesses and economic development investments; and;

**WHEREAS,** Department of Planning, Conservation and Development endeavors to engage in a comprehensive effort to reach out to parties who could potentially bring new economic development projects and investment to Middletown and who would expand facilities already in the City of Middletown; and to raise awareness of Middletown’s economic development opportunities; and;

**WHEREAS,** the Department of Planning, Conservation and Development needs dedicated funding to allow for marketing the City of Middletown’s economic development opportunities through various means such as upgrades to its website, hosting events, such as, The Middletown Real Estate Showcase in partnership with the Chamber of Commerce, participating in organizations and publications commonly utilized by site selection consultants, corporate real estate executives, businesses, brokers and developers, as well as other direct efforts to support Middletown’s economic development initiatives; and,

**WHEREAS,** the Economic Development Committee recommended approval at their August 6, 2014 meeting.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

<b>Decrease</b>		
4330-14000-48186-0000-00000-0000-901	Economic Development: Harbor Restaurant	\$5,000
<b>Increase</b>		
4330-xxxxxx-xxxxxx-0000-00000-0000-xxx	Economic Development Outreach Initiatives	\$5,000

**FINANCIAL IMPACT** – This has no impact on the budget, but it repurpose balances from other line-items.

- I.        **Approving adopting the Lower Connecticut River Valley Council of Governments, Multi-Jurisdiction Natural Hazard Mitigation Plan from the Federal Emergency Management Agency under requirements 44 CFR 201.6; the individuals in the mitigation strategy are directed to pursue implementation of the recommended actions assigned; future revisions and maintenance as required are adopted as part of this resolution for a period of five years from the date of the resolution; and the Planning and Zoning Commission shall report the progress of implementation of the plan annually.**

**(Approved)**

Councilman Grady L. Faulkner, Jr. reads and moves for approval adopting the Lower Connecticut River Valley Council of Governments, Multi-Jurisdiction Natural Hazard Mitigation Plan from the Federal Emergency Management Agency under requirements 44 CFR 201.6; the individuals in the mitigation strategy are directed to pursue implementation of the recommended actions assigned; future revisions and maintenance as required are adopted as part of this resolution for a period of five years from the date of the resolution; and the Planning and Zoning Commission shall report the progress of implementation of the plan annually. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Resolution No. 112-14**

**File Name        PCD\_Hazard\_MitigationPlan**

**THE LOWER CONNECTICUT RIVER VALLEY COUNCIL OF GOVERNMENTS  
MULTI-JURISDICTION NATURAL HAZARD MITIGATION PLAN  
CERTIFICATE OF ADOPTION  
City of Middletown, Connecticut**

**WHEREAS,** the City of Middletown has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of - only those natural hazards profiled in the plan (i.e. flooding, thunderstorm, high wind, winter storms, earthquakes, and dam failure), resulting in loss of property and life, economic hardship, and threats to public health and safety; and

**WHEREAS**, the City of Middletown, has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its Hazard Mitigation Plan under the requirements of 44 CFR 201.6; and

**WHEREAS**, public and committee meetings were held between June 16, 2009 and December 1, 2011 regarding the development and review of the Multi-Jurisdiction Natural Hazard Mitigation Plan; and

**WHEREAS**, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedure for the City of Middletown; and

**WHEREAS**, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the City of Middletown, with the effect of protecting people and property from loss associated with those hazards; and

**WHEREAS**, adoption of this Plan will make the City of Middletown eligible for funding to alleviate the impacts of future hazards; now therefore be it

**WHEREAS**, Economic Development Committee recommended approval at it August 6, 2014 regular meeting.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

1. The Plan is hereby adopted as an official plan of the City of Middletown
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution.
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Common Council by the Planning and Zoning Commission.

**FISCAL IMPACT:** No fiscal impact. This is a requirement of the Disaster Mitigation Act of 2000.

- J. Approving authorizing the Mayor, as Middletown's Chief Executive Officer, to sign documents with the Connecticut Department of Economic and Community Development to receive a \$200,000 Municipal Brownfield Assessment and Inventory Grant for the Parking Garage Block and Metro Square Block.**

**(Approved)**

Councilman James B. Streeto reads and moves for approval authorizing the Mayor, as Middletown's Chief Executive Officer, to sign documents with the Connecticut Department of Economic and Community Development to receive a \$200,000 Municipal Brownfield Assessment and Inventory Grant for the Parking Garage Block and Metro Square Block. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Resolution No. 113-14**

**File Name**      **pcdmetrosquaregarageDECDBrownfieldAssessmentgrant**

**WHEREAS**, Middletown's industrial and redevelopment history has left numerous location in the City contaminated or in unknown condition.

**WHEREAS**, The City of Middletown is able to encourage economic development in by studying brownfields and making information available to potential developers.

**WHEREAS**, the City of Middletown was awarded a \$200,000 Municipal Brownfield Assessment and Inventory Grant for the Parking Garage Block and Metro Square Block in April 2014.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That the Mayor, as Chief Executive Officer of the City of Middletown, is hereby authorized to sign closing documents with the Connecticut Department of Economic and Community Development to receive a \$200,000 Municipal Brownfield Assessment and Inventory Grant for the Parking Garage Block and Metro Square Block.

**FINANCIAL IMPACT** – The grant is for \$200,000 to study the environmental conditions of the garage and metro square blocks.

- K. Approving authorizing Mayor Daniel T. Drew to sign and execute the master Agreement and supporting documents necessary to undertake the master Agreement with DOT.**

**(Approved)**

Councilman Carl R. Chisem reads and moves for approval authorizing Mayor Daniel T. Drew to sign and execute the master Agreement and supporting documents necessary to undertake the master Agreement with DOT. Councilman Robert P. Santangelo seconds the motion. The chair

calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Resolution No. 114-14**

**File Name** wsmasteragreementwithCTDOT

**WHEREAS**, the City of Middletown and Connecticut Department of Transportation (DOT) are entering into a Master Agreement for readjustment, relocation, and/or removal of utility facilities on highway projects; and

**WHEREAS**, the Master Agreement will allow for coordination with the Water and Sewer Department and has been reviewed by the Water Pollution Control Authority; and

**WHEREAS**, DOT has requested an authorizing resolution from Common Council for such Master Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor, Daniel T. Drew, is hereby authorized to sign and execute the Master Agreement and all supporting documents necessary to undertake the Master Agreement with DOT.

**13. Mayor's Appointments.  
(Substituted and Approved)**

Councilman Carl R. Chisem reads and moves for approval Mayor's Appointments as stated by the Chair. Councilman James B. Streeto seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**Retirement Board:**

Appointment of Joseph Serra to fill a vacancy to April 30, 2019.

**Middletown School Readiness Council:**

Appointment of Marla Hinz.

Appointment of Jessica Stewart.

Appointment of Amy Waterman.

**14. Contingency Fund Transfers (None)**

**15. Meeting Adjourned**

Councilman Thomas J. Serra reads and moves for approval adjourning the meeting. Councilwoman Mary A. Bartolotta seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

The Chair declares the meeting adjourned at 8:40 p.m.

ATTEST:

MARIE O. NORWOOD  
COMMON COUNCIL CLERK